

5/051/006

February 10, 2005

Division of Oil, Gas and Mines
State of Utah
Department of Natural Resources
Division of Oil, Gas, & Mining
1594 West North Temple Suite 1210
Box 145801
Salt Lake City, Ut 84114-5801

RECEIVED

FEB 15 2005

Dear Division of Oil, Gas and Mines,

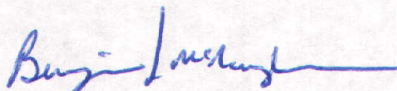
DIV OF OIL GAS & MINING

The Rockin E Ranch, Inc is respectfully requesting a variance from items 10-14 of the Operation and Reclamation Practices for the Witt Excavating Sandstone Quarry located on property owned by the Rockin E Ranch, Inc.

The area where the quarry is located has always had a shear vertical cliff face. The exposed sandstone is a prominent feature on our land and we do not wish nor do we believe it possible to round out the highwalls without significantly altering the surrounding terrain as stipulated in item 11 of the Operation and Reclamation Practices. This property is currently under contract for purchase and the developers anticipate capitalizing on the existing and exposed red ledges. Significant alteration of this area may have an adverse affect on the value of this property. The process of removing the existing rock piles will restore the area to it near original contour. No significant topsoil has been removed during the process of rock removal.

Items 12 - 14 of the Operation and Reclamation Practices deal with the preparation of a seedbed in the quarry area. The area where the quarry is located consists of a large out crop of sandstone without any significant amount of vegetation short of sage brush and weeds. We personally believe that efforts to seed an area that is mostly sandstone would be futile at best. We believe that if the loose rock is cleaned up and the area slightly contoured that the reclamation process will be complete for this area.

Sincerely,



Benjamin J McNaughtan
President, Rockin E Ranch, Inc